

Pursuant to Civil L.R. 6-2, Plaintiff Candyse Jenkins and Defendants Sanofi-Aventis U.S. LLC¹ and McKesson Corporation (collectively, “the Parties”) hereby stipulate and request that the Court take off calendar or continue the Initial Case Management Conference currently scheduled for March 28, 2017 at 2:00 p.m., as well as the attendant deadline for filing a Joint CMC Statement, currently March 21, 2017, and the ADR telephone conference with the Court’s ADR Staff also set for March 21, 2017, pending the decision by the Judicial Panel on Multidistrict Litigation (“JPML”) on whether this case should be transferred to the existing MDL proceeding *In re Taxotere (Docetaxel) Products Liability Litigation*, MDL No. 2740, established in the United States District Court for the Eastern District of Louisiana before the Honorable Kurt D. Engelhardt.

As set forth in the accompanying Declaration of G. Gregg Webb, good cause exists to take the Initial Case Management Conference, CMC Statement deadline, and ADR telephone conference off calendar or, alternatively, to continue them, pending a decision on transfer of this case to the MDL. On December 22, 2016, Defendant Sanofi-Aventis U.S. LLC removed this case to this Court from Alameda County Superior Court. On January 3, 2017, the JPML conditionally transferred this action to the MDL. On December 29, 2017, Plaintiff filed a motion to remand this case to state court (Dkt. No. 10), and on the same date, Defendant Sanofi-Aventis U.S. LLC filed a motion to stay all proceedings in this case pending a decision on transfer of this case to the MDL. (Dkt. No. 12.) On January 24, 2017, Plaintiff filed a motion to vacate the conditional transfer order. A hearing before the JPML on the transfer of this case to the MDL is currently set for March 30, 2017, and a decision from the JPML is expected on that date or soon thereafter.

On March 15, 2017, this Court vacated the hearing on (i) Defendant’s motion to stay and (ii) Plaintiff’s motion to remand, which had been set for March 17, 2017, instructing that the Court “will notify the Parties of any new hearing date after the motion to transfer has been resolved.” *See Order* (Dkt. No. 36).

¹ Defendants contend that Sanofi S.A. and Aventis Pharma S.A. have not been properly served in this case. By filing this Stipulation, Defendants expressly do not waive any claims or defenses, including without limitation defenses based on this Court’s lack of personal jurisdiction and improper service.

1 Currently, an initial CMC is scheduled before the Court on December 28, 2017, at 2:00 p.m.,
 2 and the current deadline for the Parties to file a Joint CMC Statement is March 21, 2017—***both prior***
 3 ***to the hearing before the JPML on transferring the case to the MDL.*** In addition, an ADR
 4 telephone conference with the Court's ADR Staff also is scheduled for March 21, 2017, at 2:00 p.m.

5 The Parties believe that taking these deadlines off calendar or continuing them pending the
 6 outcome of the March 30 hearing before the JPML on the MDL transfer issue will prevent
 7 potentially unnecessary proceedings before this Court and its ADR Staff and will conserve both this
 8 Court and the Parties' time and resources. In addition, granting this request will have no adverse
 9 effect on future proceedings in this case.

10 There have been no prior time modifications in this case.

11 Dated: March 17, 2017

CUTTER LAW P.C.

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 13 By: /s/ C. Brooks Cutter
 14 C. Brooks Cutter

15 Attorneys for Plaintiffs

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 17 Dated: March 17, 2017

SHOOK, HARDY & BACON L.L.P.

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 19 By: /s/ G. Gregg Webb
 20 G.GREGG WEBB

21 Attorneys for Defendant
 SANOFI-AVENTIS U.S. LLC

22 Dated: March 17, 2017

MORRISON & FOERSTER LLP


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 24 By: /s/ Julie Y. Park
 25 Erin M. Bosman
 26 Julie Y. Park

27 Attorneys for Defendant
 MCKESSON CORPORATION

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. The March 28, 2017 case management conference and all related dates, and the March 21, 2017 ADR conference are vacated.

DATED: March 20, 2017


HONORABLE HAYWOOD S. GILLIAM, JR.
UNITED STATES DISTRICT JUDGE